

May 17, 2006

**H 2145. SECRET COMPARTMENTS IN MOTOR VEHICLES.** Filed 5/17/06. *TO MAKE FALSE, HIDDEN, OR SECRET COMPARTMENTS IN A VEHICLE UNLAWFUL AND TO APPROPRIATE ONE HUNDRED THOUSAND DOLLARS TO THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY FOR GRANTS TO LOCAL LAW ENFORCEMENT AGENCIES TO HELP OFFSET THE COST OF ENFORCING THIS ACT.* Adds new GS 90-108.1 making it unlawful to own or operate a vehicle a person knows to contain a false or secret compartment (defined in the act as any enclosure attached to or integrated into a vehicle and intended and designed to be used to conceal, hide, or prevent discovery by law enforcement officers of the false, hidden or secret compartment or its contents) or to install, create, build, or fabricate a false, hidden, or secret compartment in any vehicle. States that a person's intent may be inferred from factors that include, but are not limited to, discovery of a person, firearm, controlled substance, alcoholic beverages, or other contraband in the compartment or evidence of the previous placement of those items in the compartment. Provides that any vehicle containing such a compartment and any items in the compartment may be seized by any law enforcement agency or officer in whose jurisdiction the property is found. Seized property is subject to the forfeiture procedures in GS 90-112, but not to the remission and mitigation provisions of GS 90-112.1. Violation of the section is a Class I felony. Appropriates from the General Fund to the Department of Crime Control and Public Safety \$100,000 for 2006-07 for grants to law enforcement agencies to offset costs of enforcing the act. Effective October 1, 2006.

**Intro. by Moore.**

GS 90, APPROP

June 8, 2006

**H 2145. SECRET COMPARTMENTS IN MOTOR VEHICLES.** Filed 5/17/06. House committee substitute makes the following changes to 1st edition. Specifies that proposed definition of false, hidden, or secret compartment in proposed GS 90-108.1 does not include compartments installed by the vehicle manufacturer. Modifies proposed rule permitting inference that a person intended to conceal items from a law enforcement officer to redefine items that are covered by the inference as (1) persons concealed for unlawful purposes, (2) controlled substances, the possession of which is punishable by at least a Class 1 misdemeanor, and (3) any other contraband, the possession of which is punishable by at least a Class 1 misdemeanor. Makes it unlawful to transfer or dispose of a vehicle knowing that it contains a secret compartment. Replaces provision in original bill that made vehicles driven in violation of the new provision subject to seizure and forfeiture with a procedure for the vehicle registration and license plate to be seized and held until vehicle is repaired to eliminate the compartment. Allows the owner to get a 30-day temporary tag in this situation. Changes the effective date from October 1, 2006, to offenses committed on or after December 1, 2006.